

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
WICHITA FALLS DIVISION

LIGHTING BALLAST CONTROL LLC,

Plaintiff,

v.

UNIVERSAL LIGHTING TECHNOLOGIES,  
INC.,

Defendant.

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CIVIL ACTION NO. 7:09-CV-00029-O

**JURY TRIAL DEMANDED**

**PLAINTIFF'S WITNESS LIST**

Pursuant to the Court's December 27, 2010 Final Scheduling Order, Plaintiff submits the following Witness List:

Name and Address	Subject Matter / Summary of the Testimony	Sworn	Testified
<b>PROBABLE WITNESSES</b>			
<b>Bobel, Andrzej</b> c/o Friedman, Suder & Cooke Tindall Square Warehouse No.1 604 East 4th Street, Suite 200 Fort Worth, Texas 76102  Deposed. Expected duration: 1-2 hours.	Mr. Bobel is the inventor of United States Patent No. 5,436,529 ("patent-in-suit"). He is expected to testify regarding the patent-in-suit, including the date of conception of the subject invention, his licensing efforts and knowledge of certain notice and demand letters sent to Defendant, his knowledge of the lighting ballast industry and the development of various circuit designs; his reasons for contacting Acacia Patent Acquisition LLC to assist in enforcing the '529 Patent and his business activities in the lighting ballast industry.		

Name and Address	Subject Matter / Summary of the Testimony	Sworn	Testified
<b>Patterson, Mark</b> Waddey & Patterson 1600 Division Street, Suite 500 Nashville, TN 37203  Deposed. Expected duration: 20 minutes.	Mr. Patterson is an attorney who has represented Defendant ULT in connection with the prosecution of certain patents, and who communicated with Mr. Bobel regarding his pre-suit claims of infringement by Defendant ULT. Mr. Patterson is expected to testify regarding the patent-in-suit, his investigation into Mr. Bobel's claims of infringement, and prosecution of ULT patents.		
<b>EXPERT WITNESSES</b>			
<b>Roberts, Victor</b> Roberts Research & Consulting 3 Garrison Road Burnt Hills, NY 12027  Deposed. Expected duration: 1 day.	Dr. Roberts is expected to testify regarding the history and evolution of the lighting ballast industry, his evaluation of electronic ballasts, the importance of the '529 Patent in the industry, and Defendant ULT's infringement of the patent-in-suit. Dr. Roberts will testify consistent with his opinions as set forth in his expert report, supplements thereto, declarations in support thereof, and in his deposition.		
<b>Gallagher, Mark</b> Duff & Phelps One Atlantic Center 1201 W. Peachtree St., Suite 1700 Atlanta, Georgia 30309  Deposed. Expected duration: 1 day.	Mr. Gallagher is expected to testify regarding the damages incurred by Plaintiff as a result of Defendant ULT's infringement of the patent-in-suit. Mr. Gallagher will testify consistent with his opinions as set forth in his expert report, supplements thereto and during his deposition.		
<b>Goldstein, Edward</b> Goldstein & Vowell, L.L.P. 1177 West Loop South, Suite 400 Houston, TX 77027  Not deposed. Expected duration: 1-2 hours.	Mr. Goldstein is expected to testify regarding issues of willfulness, including the standard of care required in investigating claims of patent infringement, how the conduct of Defendant ULT deviated from the applicable standard and Defendant's litigation conduct. Mr. Goldstein will testify consistent with his opinions as set forth in his expert report.		

Name and Address	Subject Matter / Summary of the Testimony	Sworn	Testified
<b>Zane, Regan</b> c/o Friedman, Suder & Cooke Tindall Square Warehouse No.1 604 East 4th Street, Suite 200 Fort Worth, Texas 76102  Deposed. Expected duration: 1 day.	Dr. Zane is expected to testify in rebuttal regarding the validity of the '529 Patent. Dr. Zane will testify consistent with his opinions as set forth in his expert report and during his deposition.		
<b>POSSIBLE WITNESSES</b>			
<b>Haynes, Clayton</b> 500 Newport Center Dr., Suite 700 Newport Beach, CA92660  Deposed. Expected duration: 15 minutes.	Mr. Haynes is the CFO of Lighting Ballast Control LLC and CFO of Acacia Research Corporation. He is expected to testify regarding the relationship between Andrzej A. Bobel, Acacia Patent Acquisition LLC and Lighting Ballast Control LLC, as well as the agreements between such parties.		
<b>Poehlman, Thomas</b> c/o Steve Routh Orrick, Herrington & Sutcliffe 1152 15 <sup>th</sup> Street, N.W. Washington, DC 20005  Deposed. Expected duration: 15 minutes.	Mr. Poehlman is a ULT engineer and was designated by ULT as its 30(b)(6) representative on all technical matters. He is expected to testify regarding his knowledge of the accused products, his understanding and knowledge of the '529 Patent, and any investigation done by ULT into allegations of infringement of the '529 Patent.		
<b>Riesmeyer, David</b> c/o Steve Routh Orrick, Herrington & Sutcliffe 1152 15 <sup>th</sup> Street, N.W. Washington, DC 20005  Deposed. Expected duration: 15 minutes.	Mr. Riesmeyer is the CFO of ULT. He is expected to testify about ULT's views on intellectual property, including its licensing history, ULT's corporate and organizational structure and affiliations, and ULT's strategic business considerations, including its competitors.		

Name and Address	Subject Matter / Summary of the Testimony	Sworn	Testified
<b>Dilling, Mark</b> c/o Steve Routh Orrick, Herrington & Sutcliffe 1152 15 <sup>th</sup> Street, N.W. Washington, DC 20005  Deposed. Expected duration: 15 minutes.	Mr. Dilling is ULT's Director of Financial Analysis. He is expected to testify about ULT's customer base, its financial statements, revenues, profits, and accounting practices as it relates to U.S. Sales of the accused products, its corporate and organizational structure and history, its strategic considerations relating to profitability, and its views of intellectual property.		

**Dated: April 25, 2011.**

Respectfully submitted,

/s/ Jonathan T. Suder  
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**ATTORNEYS FOR PLAINTIFF**

**CERTIFICATE OF SERVICE**

I hereby certify that on the 25<sup>th</sup> day of April, 2011, I electronically filed the foregoing document with the clerk of the court for the U.S. District Court, Northern District of Texas, Wichita Falls Division, using the electronic case filing system of the court. The electronic case filing system sent a "Notice of Electronic Filing" to the attorneys of record who have consented in writing to accept this Notice as service of this document by electronic means.

/s/ Jonathan T. Suder